

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

AKAMAI TECHNOLOGIES, INC. and  
AKAMAI SECURITIES CORPORATION,

Plaintiffs,

v.

DEUTSCHE BANK AG,

Defendant.

Civil Action No. 1:10 CV 10254 - JLT

**DEFENDANT DEUTSCHE BANK AG's  
UNCONTESTED MOTION TO AMEND ITS DEPONENT LIST**

Pursuant to Local Rules 26.1(b) and 26.2 and the Court's Modified Discovery Order, dated March 15, 2011, defendant Deutsche Bank AG ("Defendant" or "Deutsche Bank AG") submits the following Uncontested Motion to Amend Its Deponent List to add the following witnesses: Frederic Salerno, Jill Greenthal, and Marty Coyne, and Robert Wood (collectively, the "Proposed Deponents").

Mr. Salerno, Ms. Greenthal, and Mr. Coyne are members of the Board of Directors of Plaintiff Akamai Technologies, Inc. ("Plaintiff" or "Akamai") and are members of an *ad hoc* committee of the Board that considered a proposed stock buyback program and other investments during the relevant period, which Akamai alleges were impacted by the liquidity of if its student loan auction rate securities ("SLARS") held with Deutsche Bank Securities Inc. ("DBSI"). Mr. Wood communicated with DBSI and other investment banks regarding the potential stock buyback program, as well as other potential investment banking opportunities for Akamai. Defendant did not become aware of the relevance of the Proposed Deponents until after the Court's March 15th Order.

For these reasons, Defendant requests the Court's permission to amend its deponent list to add the above individuals. Pursuant to Local Rule 7.1(a)(2), after conferring with Akamai, Akamai does not oppose this Motion.

**CONCLUSION**

For all of the foregoing reasons, Defendant Deutsche Bank AG prays that this Court issue an Order permitting Defendant to amend its deponent list to add proposed deponents Frederic Salerno, Jill Greenthal, and Marty Coyne, and Robert Wood, and grant such other and further relief as the Court deems just and proper.

Dated: September 2, 2011

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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent via U.S. first class mail to those indicated as non-registered participants on September 2, 2011.

/s/ Toby S. Soli

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